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BUDGETARY PROPOSAL

RAPIDFLOW OVEN

COPY PREPARED FOR

-DR. SYED HUSSAIN ARMOUR SWIFT ECKRICH



BUDGETARY PROPOSAL FOR:

DATE: January 25, 1994 Armour Swift-Eckrich 2001 Butterfield Road

Downers Grove, IL 60515

DESCRIPTION OF EQUIPMENT:

1 (one) Proctor-Unitherm RAPIDFLOW II OVEN, Model 40-34, electrically heated.

Four (4) Oven Modules, each 8 feet 5 inches long, with effective overall cooking length of 34 feet and usable width of 3 feet 3

Continuous Belt Washer with high pressure spray nozzles above and

FRAME: Constructed of type 304 stainless steel.

CANOPY: Stainless steel frame with removable stainless steel panels.

BELT: Stainless steel, flat flex belt, 3/8" pitch.

DRIVE MOTOR: Variable speed.

ELEMENT BANK: Temperature control by microprocessor.

C.I.P. SYSTEM: Automatically cleans the inside of the oven once production is completed. Pumps, tanks and necessary fittings are included.

CENTRAL CONTROL PANEL: A Nema 4X Stainless Steel Electrical Control Cubicle is provided for the oven. Motor starters, push buttons, conveyor speed control, and temperature controls are included with the cubicle. The Control Cubicle also contains safety controls and will be adequate to accommodate additional oven sections which can be added later. Control Cubicle will house operating controls for oven and C.I.P.

FOUR (4) BIFURCATED EXHAUST FANS: included.

PRICE:

\$498.000.00

F.O.B.: Lexington, N.C.

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OPTIONAL EQUIPMENT

ATOMIZER: - \$3,600.00

Placed between zones one & two to facilitate spray application of liquid browning and or smoke flavor agent.

TERMS: 30% down payment with order, 60% upon completion of engineering, 10% net 30 days after shipment. A service charge will be assessed on past due unpaid balances at 1% per month. All terms are subject to credit approval.

DELIVERY: To be determined.

INSTALLATION: The price includes start-up supervision and operator training by a Proctor Service Engineer. Installation of the equipment will be accomplished by Amour Swift-Eckrich personnel at the job site. Contract services for installation supervision are optional at the prices shown in the "Erecting" Section on Page III.

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APPROXIMATE DIMENSIONS: As per enclosed footprint drawing.

Overall Length

40' 6"

Overall Width

7' 0"

Overall Height

7' 9" including sloped removable exhaust

hood

Cooking Area

34' long

3' 3" wide

112 sq. ft. of cooking area

Electrical Requirements

500 KW

600 AMPS

Voltage

480/60/3

CAPACITIES: Will be based on tests parameters at Elk Grove Village on 10/14/93 as witnessed by Dr. Hussain, J. Shoop and J. Hutchison.

Turkey Breast

Process Time: 10 minutes

Undipped - no solution = 1,020 pieces per hour

Process Time: 7.5 minutes

Dipped

= 1,360 pieces per hour

(See work sheet dated

10/14/93).

Proctor-Unitherm will be happy to test additional new products to determine operating

LAW FRCES

PRETTY, SCHROEDER & POPLAWSKI

A PROPESSIONAL CORPORATION

444 SOUTH FLOWER STREET, 19TH FLOOR LOS ANGELES, CALIFORNIA 90071-2909 TELEPHONE (213) 622-7700

FACSIMILE (213) 489-4210 E-MAIL, psp@psp-iplow.com PATENTS, TRADEMARKS, COPYRIGHTS AND RELATED LITIGATION

July 28, 1998

RICHARD A. WALLEN VIVIANA AMZEL, PH.D.

> VIA CERTIFIED MAIL RETURN RECEIPT REQUESTED

MR. C 3 1888

Mr. David Howard UNITHERM FOOD SYSTEMS, INC. 1108 West Hartford Avenue Ponca City, OK 74601

Re:

LAURENCE H. PRETTY

MARK GARSCIA

ANNE WANG

ERIC T. KING MARK B MIZRAMI

JEFFREY F. CRAFT

PAUL D. TRIPODI, II J. CHRISTOPHER JAMES

MARC E. HANKIN JEFFREY A. FINN DONALD C. KORDICH LENA A. BASILE, PH.D. GREGORY S. CORDREY MATTHEW C. LAPPLE

COUNSEL

ROBERT A. SCHROEDER EDWARD G. POPLAWBRI

MICHAEL J. MAGDERMOTT

Armour Swift-Eckrich Browning Technology

Our Docket No.: M02 41285

Dear Mr. Howard:

My firm represents Armour Swift-Eckrich in connection with certain intellectual property matters. We have been asked to respond to your May 29, 1998 letter to Dr. Prem Singh.

The test you conducted during Dr. Singh's visit was based on Armour Swift-Eckrich's trade secret information relating to its proprietary technology for browning whole muscle meat products. This trade secret information was disclosed to you in confidence. Consequently, Armour Swift-Eckrich expects that you will maintain its trade-secret information secret and that you will not use its confidential information as part of your own work. Armour Swift-Eckrich is prepared to protect all its rights in this trade secret information to the full extent provided by law.

Very truly yours,

PRETTY, SCHROEDER & POPLAWSKI

JFC:kg kgS:VFC41285HOW.ARD

> DEPOSITION EXHIBIT